

JUDGE DECREES MANSLAUGHTER, "NO ASSAULT"

Evidence is Not Conclusive to
Warrant Murder Charge,
Jurist Rules.

(Continued from page one)

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"The affair was the culmination of an argument between the two men, the jurist said. The question is larger than the guilt of the unfortunate, it is a universal issue.

"I had really hoped that this court would be the avenue for full and complete revelation of all the facts so that the public of the entire world would have the opportunity to ascertain this widely known defendant's guilt or innocence.

"The testimony heard shows that during the whole afternoon there went on, let us charitably say, festivities. Men and women were coming and going so that the witnesses are unable to say who were the occupants at any particular hour.

"Much liquor was drunk and the complaining witness in particular was in an inebriated condition. Miss Happe, according to the picture I have tried to draw, was in a room into room 119 of this hotel, followed, without previous conversation, by the defendant.

"Found Girl in Agony." "They remained in there about three-quarters of an hour, according to Miss Zoh Prevor's testimony. No sounds were heard by the rest of the party. Then the complaining witness and Miss Prevor made a clamor at the door which was opened by the defendant and these two ladies entered the room.

"They found Miss Happe lying on a bed, fully clothed, and apparently in agony. She was clutching at her clothing and with the assistance of her women companions she was completely disrobed. I thought some of the torn garments might bear on the point at issue, but from the prosecution's own witnesses, it appears they must have been torn in being removed.

"Torn Garments, No Evidence." Assist. Dist. Atty. Isador Golden interrupted with the assertion that the evidence showed the use of force, but it had no connection with any possible injuries received by the deceased, although it was a regrettable incident.

"Evidence has been given regarding alleged ribald conduct of the defendant regarding the use of force, but it had no connection with any possible injuries received by the deceased, although it was a regrettable incident.

"Photographs of bruises on Miss Happe's body were introduced, but Dr. Arthur Beardslee, who attended her, saw only the use of force. Undoubtedly, if there had been others on the body he would have noticed them. Semmacher's testimony was entirely valueless and two days of court time was taken up fruitlessly hearing him.

"Only 'Skeleton of Proof.' "The only one whose evidence might have connected the defendant with the commission of a crime was that of a nervous chambermaid who heard from the corridor the cry of a woman 'No, no, Oh, my God,' and a man's reply 'Oh, shut up!'

"Although there were indications that the district attorney at a trial would try to show a more complete case, there was the merest skeleton of evidence to connect the defendant with the crime of murder, the most serious offense known in criminal law.

"The question for me to decide, is whether the facts adduced which the district attorney admits is barely enough to warrant a holding, is enough to justify a murder charge, and I do not believe so.

"There is enough in the defendant's actions in the affair, however, to warrant a manslaughter charge, and I will hold him on this. I feel that no assault or attempted assault, was committed by the defendant."

Arbuckle More Cheerful. Assist. Dist. Atty. Milton T. Utlen inquired what these other actions might be, and the judge replied that there might have been battery, for instance.

While the formalities of bail were being arranged, Arbuckle went back to the city prison where he has been for the last 18 days.

Coming out of his cell with an overflowing armful of clothing, his face took on a more cheerful look. After he had piled the clothes into a suitcase, newspaper photographers started to take pictures of him and a smile began to creep over his countenance. As a balloon-like cloud of flashlight smoke rose toward the ceiling he gazed at it with almost a grin.

"Roll a cigarette with one hand when we take the next snap," suggested one of the photographers. "I can't," he replied. "It's the other Arbuckle that does that."

BOYS OF BLUE HOLD REVIEW AT CAPITAL

Spectacular Parade of Grizzled Vets Evokes Wild Cheers of Crowd.

INDIANAPOLIS, Ind., Sept. 28.—Cheers, the tribute accorded always to soldiers, were still ringing in the ears of hundreds of surviving heroes of the Civil War Wednesday night. Shortly before sundown the rear ranks of the Grand Army of the Republic public band—the reviewing stand of Commander-in-Chief William A. Ketchum, bringing to a close the annual parade and the most spectacular event of the 55th encampment.

Through streets packed solid with five-thousand cheering citizens, the Grand Army paraded, arousing as much patriotic enthusiasm as if it were an army on its way to war.

By night time they were weary and sought the benches and rest places provided for them through the downtown district, but as they hiked along the veterans marched jauntily, tramping in step with the music of war drums and fife.

Hundreds of automobiles were ready to carry veterans who might

be unable to march, but there were few who made use of the machines unless they were totally disabled.

The G. A. R. will meet Thursday again to elect officers and select the city for the next encampment. Des Moines and Milwaukee are seeking the meeting for next year. Affiliated organizations will also hold business sessions Thursday.

"MODERN MAN" MUST FIND GOD, SHANNON SAYS

Chicago Pastor Declares
Earthly Goods Are Going
to "Rack and Ruin."

(Continued from page one)

The physical forces in this cosmic world—we do not need God any more. We were not saying it out and out, but that is what we were trying up to 1914. God has been boring right down to the root of things. I would rather be a preacher of the gospel than sit on any golden throne built on this planet. This modern man in all his perplexities must have this—he must have in his religious tenets a new ship upon the new testament proof of the personal providence that God has for human life.

"All the great preachers have emphasized the truth that God does care for individual people. He not only cares for men and women in the mass but he is so wonderful in his care for the individual. He taught it to the flowers, to the birds, and if every stem knows its place and can go to it, then this great soul must have some individual knowledge of the sources he has created in the world. The law of gravity is pulling upon every atom and ion in the watch. One of the things the modern man needs brought back to him is that God cares—that no sparrow can fall to the ground without sending a thrill up to the heart of God."

Man Must Rethink. "How many millions of people have asked the question, 'Why was I born?' In Chicago a young man asked his uncle why he was born and received the reply that his uncle did not know. A short time later he was passing the Riquitos theater when the great fire broke out. He rushed in and succeeded in saving 13 lives but suffered severe burns from which he later died in a hospital. As he lay on a cot in the hospital his uncle visited him and he looked up into his face and said, 'Now I know why I was born, it was to save those thirteen precious lives that God brought me into the world.'

"There is no other way for the modern man to become a world power in this modern world in meeting realities except by rethinking these things that have made the Christian church in history. We are compelled to think in terms of that kingdom which will abide when all other kingdoms have passed away, as other kingdoms have passed away, and we have got to think supremely in America of the value of Christ to the nations of the earth."

"Why is it the name of Arthur the Great for a thousand years stirred music in the souls of men? Because he was big enough in his spiritual dimensions to believe that one principle that is good enough for nations—individuals is good enough for nations—and the sermon on the Mount is the one document upon which our social and national life in the world exists and grows."

Sermon of the Mount. "Have we not lived to see the time where God has driven the nations into a corner and put this proposition up to individual men, that not as individuals but as people in a social and national and international relationship they must give the sermon on the Mount wing power, the more imperative is it that men and women get together on spiritual things because the other things are things that make for war and war is hell."

The war of 1914 to 1919 was a terrible war but what do you think of the next war? God has driven the modern man into a corner and he is not going to come out of that corner except he comes out following the footsteps of Jesus Christ. Unless we take these spiritualities out into the markets of life, hell is bound to come upon this planet. The modern man must realize themselves the commercial units whose genius runs through animal and vegetable life right up into the human world. Man cannot lead his life alone. God has driven the nations together and we are here together for good or ill. A French philosopher says the modern man has developed a body that is too big for his soul. His body has outgrown his soul. What this world needs to-night is not a new mind alone but a new heart. If you have a new heart you can get all the mind you want but if you have only the new mind you are a humanized devil. Real thinking with real doing is the only power that can do it and it is to be obtained only through Jesus Christ."

McDowell to Talk. Rev. W. M. Wirt, of Gary, Ind., talked on "Religious Education." He declared that in our modern cities we have a multiplicity of advantages from the standpoint of the adult while the development of the child of the city has been neglected. He made a plea for a definite plan on the part of the church to govern community welfare work along the lines that child welfare work has been conducted for years. He presented charts to show that a modern school could be so planned as to make it possible to add religious and physical training to the curriculum so that the child could devote eight hours a day to study, recreation and religion, all under teacher supervision.

Bishop William F. McDowell will give a talk at the conference session at 8:30 this morning followed by a business session. At 10 o'clock the Preachers' Aid Society will meet.

Administration of the sacrament of the Lord's supper, conference organization and reports of district

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230-1

superintendents engaged the attention of the Methodist pastors of Northern Indiana Wednesday morning at the Grace church at the opening session of the conference. A centenary key-note address by Rev. M. N. English and a talk on Foreign Missions in South America, by Rev. U. G. Leazenby, held the attention of the 299 pastors Wednesday afternoon.

The afternoon session opened at 2:30 with the address of Rev. M. N. English, D. D., of Oak Park, Ill. The speaker declared that Methodism needs the challenge "carry on!" in meeting the big problem before it. He spoke in part as follows:

"In the mighty movement of humanity in which the races and nations are participating, it is the purpose of God that the church should lead; as its contribution to that leadership, Methodism gave its Centenary, the greatest piece of statecraft in the history of the kingdom of God. We are now midway in the five-year period of that movement. For this, the critical year, Methodism needs the challenge 'carry on!'

Need Mighty Movement. "The world needs more, more than ever before, a mighty movement by all the churches, such as the Centenary, and which the inter-church movement was meant to be. Every argument used in promoting the Centenary is still valid and the conditions have created new arguments and given force to old ones. I do not refer primarily to financial needs but to the need of a church that knows the power of intercession, that dedicates its life, and that has a program equal to the world need."

The speaker referred to a recent address by Viscount Grey on the New World—Is it possible? and the many questions raised by that speech. He raised the question, "Is the world still waiting for the answer to its task?" The answer to this, the speaker said, will be found in whether or not Methodism is capable of giving the world the leadership needed and to execute a program as great as present conditions demand.

Continuing he said: "The world needs an interpretation of conditions and hopes in the light of Christian truth. International councils like the coming conference on limitation of armaments needs the impact of the Christian spirit in order that the natural desires and rights of nations may be brought into line with the moral purposes of God. These movements need the reinforcement of a brotherly movement to shape Good Will. Without it nothing permanent can come from this conference. This is needed to save the world from itself, to restore the lost prestige of the white races and to direct the fast running currents and the rising tide of color on every continent."

Answer in Response. "I covet for Methodism, a place of leadership—are we equal to the task? The answer will be found in our response to the new Centenary challenge 'carry on.' The achievements of the last two and one-half years, justify the faith of our leaders in the church and of the church in its leaders."

The speaker told of the spiritual achievements of the church, financial returns, and the reports from fields of operation in America and other parts of the world which inspire enthusiasm in the hearts of all who know them."

"When Methodism has completed its Centenary," he said, "it will face a still larger task; he who thinks Methodism will have done, with its response, knows not the greatness of the task or the genius of Methodism. Methodism will carry on, reaffirming the plan of Christ, expanding and inspiring the best and enfolded it."

plan made public Wednesday would be suggested.

"We have sought to minimize dismemberment of existing lines and systems," the commission's announcement said. "This tentative plan is put forward in order to elicit a full record upon which the plan

ultimately adopted can rest, and without prejudice."

The 19 systems proposed by the commission are:

Pennsylvania—The present system and lines running from the tip of Long Island, westward to Chicago, St. Louis and Burlington with branches through New Jersey, Delaware and Maryland and states crossed.

Baltimore and Ohio—Lines from New York city and west to Chicago and St. Louis, south of Great Lakes and north of Ohio and Potomac rivers.

Erie—From New York city northward along northern lake shore territory to Chicago and St. Louis, but north of previous two systems.

Nickle Plate-Lehigh Valley—Same territory as Erie, but with lines south to Baltimore and West Virginia coal fields.

Pere Marquette—Michigan peninsula lines with extension south into Ohio and Indiana.

System "A" and "B" includes New Haven and other connecting lines in New England, south to New York city. "B" includes New England connecting lines westward to Great Lakes territory.

Chesapeake and Ohio lines from

Washington through Virginia and West Virginia and north to Chicago and Toledo, taking in C. & O. Hocking Valley and Virginian railroads.

Norfolk and Western—With Virginia and Ohio coal roads.

Southern—Lines from Washington south and southwest to Jacksonville, Mobile, New Orleans, Memphis and St. Louis.

Atlantic Coast Line—Louisville and Nashville—Lines through southern territory, along coastline and up through Alabama, Tennessee, Kentucky to Louisville and to Indianapolis.

Illinois Central, Seaboard—Mississippi valley lines with seaboard routes through southern tier of states to Savannah.

Union Pacific—Northwestern lines from Chicago to Portland and Seattle.

Burlington—Northern Pacific—Competing lines with Union Pacific and lines along more southern route to San Francisco.

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Santa Fe—Southern transcontinental routes—Chicago, Memphis and New Orleans west to Los Angeles and San Francisco.

Dr. Leazenby outlined briefly the work of the great prosperity noted in the churches of his district despite depression in the business world. He reported a number of improvements in the church structures and announced plans by the Trinity and Lowell Heights churches of South Bend for erection of new edifices. In all cases, he reported growth in membership.

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RAILWAY MERGER IS PROPOSED FOR U. S. BY COMMERCE BODY

Interstate Commission Announces Plan to Create
19 Systems.

(Continued from page one)

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Silk Knit Ties in plain colors and stripes—\$1.00 to \$2.00.

Medium Weight Underwear—\$1.50 to \$1.95.

Cotton Hose—19c.

Wool Hose—\$1.00.

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